GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services – Social Welfare Department – Anti-Corruption Bureau – Allegation of certain irregularities against Sri Dasari Madhusudhana Rao, the then Deputy Director, Social Welfare, Nellore – Regular Enquiry Report – Initiation of Disciplinary Proceedings against Sri D. Madhusudhana Rao, the then Deputy Director (SW), Nellore now working as District SC Welfare & Empowerment Officer, Guntur District under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal Rules), 1991 - Articles of charges – Issued.

SOCIAL WELFARE (VIGILANCE.A2) DEPARTMENT

G.O.Rt.No.209 **Dated:18/10/2024**
Read: the following:

1. From the DG, ACB, Vijayawada, Lr. C.No.23/RE-NNL/2017, dt.25.07.2023.
2. From the DG, ACB, Vijayawada, Lr. C.No.23/RE-NNL/2017, dt.03.10.2023.

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O R D E R:

It is proposed to hold an enquiry against Sri D. Madhusudhana Rao, the then Deputy Director (SW), Nellore now working as Deputy Director (SW)/District Scheduled Caste Welfare & Empowerment Officer, Guntur District in accordance with the procedure laid down in rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure-1). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri D. Madhusudhana Rao, the then Deputy Director (SW), Nellore now working as Deputy Director (SW) / District Scheduled Caste Welfare & Empowerment Officer, Guntur District is directed to submit a written statement of his defense within ten (10) days of the receipt of this order.

4. Sri D. Madhusudhana Rao, the then Deputy Director (SW), Nellore now working as Deputy Director (SW)/District Scheduled Caste Welfare & Empowerment Officer, Guntur District is informed that an inquiry will be held only in respect of those Articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri D. Madhusudhana Rao, the then Deputy Director (SW), Nellore now working as Deputy Director (SW)/District Scheduled Caste Welfare & Empowerment Officer, Guntur District is further informed that if he does not submit his written stamen of defense on or before the date specified in para 3 above of otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services(Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Further attention of Sri D. Madhusudhana Rao, the then Deputy Director (SW), Nellore now working as Deputy Director (SW)/District Scheduled Caste Welfare & Empowerment Officer, Guntur District is invited to Rule 24 of the A.P. Civil Services (Conduct) rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to

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further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri D. Madhusudhana Rao, the then Deputy Director (SW), Nellore now working as Deputy Director (SW)/District Scheduled Caste Welfare & Empowerment Officer, Guntur District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P. Civil Service (Conduct) rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.KANNA BABU
SECRETARY TO GOVERNMENT

To
Sri D. Madhusudhana Rao,
the then Deputy Director (SW), SPSR Nellore
now working as Deputy Director (SW)/
District Scheduled Caste Welfare & Empowerment Officer,
Guntur District (through the Director of Social
Welfare, A.P., Tadepalli, Guntur District)
The Director of Social Welfare,
A.P., Tadepalli, Guntur District.
(**with a request** to serve the orders to the Charged Officer and
send the served copy to Government).

Copy to:

The Director General, Anti Corruption Bureau,
Andhra Pradesh, Vijayawada.
The Collector & District Magistrate, SPSR Nellore.
The Collector & District Magistrate, Guntur.
SF/SCs

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SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI DASARI MADHUSUDHANA RAO, S/O SESHACHALAM, AGE 54 YEARS, OCC: DEPUTY DIRECTOR, O/O SOCIAL WELFARE DEPARTMENT, NELLORE R/O PANDURANGA NAGAR, 1ST LANE, AMARAVATHI ROAD, ESTATE POST, GUNTUR TOWN.

That Sri Dasari Madhusudhana Rao, S/o Seshachalam, Age 54 yrs, Occ: Deputy Director, Social Welfare Department, Nellore, SPSR Nellore District while working as such during the period between 09.12.2015 to 28.10.2018 committed grave misconduct in as much as:

CHARGE:

That, the Government Servant Sri D. Madhusudhana Rao, Deputy Director (SW), Nellore diverted the interest amount on Fixed Deposits from the Deputy Director(SW), Nellore, Andhra Bank, Main Branch, Nellore SB Account bearing No.0384100/1027216 to a tune of Rs.6,47,814/- which were drawn from May 2016 to February 2018 without prior permission from the competent authority/budgetary sanction by violating the rules as the withdrawals are contrary to the Government orders and he failed to attend to the Audit objections conducted by the Auditors for the period 01.04.2014 to 31.03.2016 in connection with the financial accounts in the O/o Deputy Director(SW), Nellore, as per the orders of the Director of Social Welfare, Andhra Pradesh, Vijayawada Dt. 07.12.2016 vide Memo No. Audit/2733/2016.

Thus, the Government Servant Sri D. Madhusudhana Rao, Deputy Director (SW), Nellore District by his above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of a Govt. Servant and brought down the prestige of the Government and thereby violated/contravened Rule 3(1), 3(2) & 3(5) of AP Civil Services (Conduct) Rules, 1964.

K.KANNA BABU
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI DASARI MADHUSUDHANA RAO, S/O SESHACHALAM, AGE 54 YEARS, OCC: DEPUTY DIRECTOR, 0/0 SOCIAL WELFARE DEPARTMENT, NELLORE R/0 PANDURANGA NAGAR, 1ST LANE, AMARAVATHI ROAD, ESTATE POST, GUNTUR TOWN.

That Sri Dasari Madhusudhana Rao, S/o Seshachalam is a native of Panduranga Nagar, 1st lane, Guntur Town & District. His Date of Birth is 09.06.1968. He entered into Government Service on 20.07.2004 as a District Social Welfare Officer and was posted as a District Social Welfare Officer, Chittoor on 01.02.2005. On 18.06.2007 he was transferred and posted as a District Social Welfare Officer, Krishna District. On 02.03.2009 he was transferred and posted as a District Social Welfare Officer, West Godavari District. Later on 06.04.2010 he was promoted to a Deputy Director (SW) and posted to YSR Kadapa District. On 07.06.2013 he was transferred and posted as a Deputy Director (SW), Krishna District. Further on 09.12.2015 he was transferred and posted as a Deputy Director (SW), Nellore, SPSR Nellore District and worked up to 28.10.2018. Later he was transferred and posted as a District SC Welfare & Empowerment Officer, Guntur to till date. He is due to retire on attaining the age of superannuation on 30.06.2030. He is hereinafter referred to as Government Servant (G.S)

CHARGE:

That, the Government Servant Sri D. Madhusudhana Rao, Deputy Director (SW), Nellore diverted the Interest amount on Fixed Deposits from the Deputy Director (SW), Nellore, Andhra Bank, Main Branch, Nellore SB Account bearing No.0384100/1027216 to a tune of Rs.6,47,814/- which were drawn from May 2016 to February 2018 without prior permission from the competent authority/budgetary sanction by violating the rules as the withdrawals are contrary to the Government orders and he failed to attend to the Audit objections conducted by the Auditors for the period 01.04.2014 to 31.03.2016 in connection with the financial accounts in the O/o Deputy Director (SW), Nellore, as per the orders of the Director of Social Welfare, Andhra Pradesh, Vijayawada Dt. 07.12.2016 vide Memo No. Audit/2733/2016.

Facts and Evidences:

A regular enquiry has been initiated on the petition of Sri Jana Srinivasulu. During the enquiry, as per the allegation stated by the petitioner Rs. 87,00,000/- has been released towards the renovation of Hostel buildings. On enquiry it is revealed that the Government sanctioned grant amounting to Rs. 40,98,188/- for construction of new hostel buildings at Muthukur, Chittamur, Pigilam, Chembedu, Iskapalli and Karatampadu Villages of SPSR Nellore District. In addition to that an amount of Rs. 3,00,000/- is in the name of Dist. Collector (i.e., Rs.1,00,000/- for the purpose of a erection of Dr. Ambedkar Statue at Sullurpeta and Rs. 2,00,000/- is EMD (Ernest Money Deposit) related to Out Sourcing employees) and the same was confirmed by the then DD, SW, Nellore, vide in his letter Rc.No. B1/203/2020, dated 28.06.2020. The total amount Rs.43,98,188/- was deposited in the shape of FDRs in various banks and the Interest amount was deposited in Deputy Director(SW), Nellore, Andhra Bank, Main Branch, Nellore SB Account bearing No. 0384100/1027216. On further verification of Cash book, vouchers, note files, UO Note, sub-vouchers and Bank statements along with abstract copy of expenditure incurred it is revealed that an amount of Rs.10,69,738/-, was realized as Bank Interest as well as Interest on Fixed Deposits during the period of the Government Servant, out of it an amount of Rs. 6,47,814/- was incurred for various purposes from May-2016 to Feb-2018. In which an amount of Rs.1,00,394/- was approved by the District Collector, Nellore and Rs.7,725/- was approved by the Joint Collector, Nellore. The then Deputy Director (SW)was drawn amounting to Rs.5,39,695/- without approval of the District Collector or any higher authority.

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On verifying the Audit report, the internal Audit was conducted from 13.09.2016 to 27.09.2016 for the period of 01.04.2014 to 31.03.2016 by the Audit team, O/o. Director of Social Welfare, Andhra Pradesh. The Director of Social Welfare, Andhra Pradesh, Amaravati sent a letter on 07.12.2016 to the Dy. Director (SW), Nellore, to furnish the rectification report for lapses and irregularities pointed out by the Audit team. The audit team observed diversion of funds from the Deputy Director(SW), Nellore, Andhra Bank, Main Branch, Nellore SB Account bearing No. 0384100/1027216 which could not be reimbursed and is highly objectionable. Further, a specific scheme-wise budget control register was not maintained which may lead to the diversion of funds, as the entire responsibility lies with the DDO, to avoid excess drawing. Further the Audit team commented that the Deputy Director (SW), Nellore is in the practice to meet the expenditure for various purposes on a reimbursement basis from the Deputy Director (SW), SB Account. Still, lakhs of rupees were not reimbursed even today. This type of action of the Deputy Director (SW), Nellore gave scope for hampering of scheme which objections have to be implemented. The commissioner of Social Welfare has provided the budget for which, the purpose has not been served this type of action may lead to the diversion of funds which is irregular. The last audit raised an objection to the diversion of funds from Deputy Director (SW), Nellore SB accounts for various purposes however the same irregularity is being continued, which is highly objectionable. Since once cautioned by the Head of the Department through Audit Report the Deputy Director (SW) should have followed the instructions scrupulously.

As per the rules in force, the interest earned from the grants issued by the Govt., should be remitted to the concerned Head of Account along with balance available of grant. Instead of the above, the then Deputy Director (SW), Nellore without discontinuing the irregularities, the interest amounts earned from FDRs and SB account were diverted for various purposes without approval of the competent authorities.

During the course of verification of the Cash Book, it is observed that the interest accrued from the bank was noted in receipt side and also monthly reconciliation for the entire period was not made in the cash book which is highly irregular. Some of the cheques were issued in favour the office staff instead of firms by the then DD SW Nellore.

An amount of Rs.6,47,814/- was diverted by the Government Servant without permission from the competent authority/budgetary sanction by violating the rules as the withdrawals are contrary to the Government orders and the said amount was not reimbursed so far. Further he did not take any steps to rectify the lapses and irregularities pointed out by the Audit team.

As per the Certificate of the Dy. Director, SW, Nellore SPSR Nellore Dist. Dated 01.06.2021, the amount released for constructions of hostel buildings in Social Welfare Department and the interest amount received on it has been remitted to the Govt., A.P through CFMS Challan No. 41237314432020, Dt. 17.11.2020, to the 0250-00-102-00-01-001/00 Head of Account of Rs. 52,55,440/- at SBI, Nellore according to the audit report.

Further, the IO examined Sri Y.Venkataiah, District Backward Classes Welfare and Empowerment Officer, Nellore, FAC for the post of District Scheduled Caste Welfare and Empowerment Officer, Nellore, Y. Lukas, Office Superintendent, P. Ezra, Asst. Accounts Officer, Bathina Veera Nageswara Rao (Audit Officer), the then Deputy Director(SW), Nellore Smt. M. Ramadevi, and K.Srinivasa Rao, the then Office Superintendent, in this regard.

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Oral Evidence:

i) Statement of Sri Yammanoori Venkataiah, S/o Subbarayudu (Late), Age 60 Yrs, District Backward Classes Welfare and Empowerment Officer, Nellore, FAC for the post of District Scheduled Caste Welfare and Empowerment Officer, Nellore. Native of D.No. 45/339-2-4, Balaji Nagar, beside Crime Police Station, Kadapa. Cell No. 9491054116.

On examination, he stated that he has been working as FAC for the post of District Scheduled Caste Welfare and Empowerment Officer, Nellore since 05.03.2023. The ACB authorities found some variations in Interest amount which were previously explained by the then DD, SW, Smt. M.Ramadevi and other office staff O/o DD, SW, Nellore. On that, he along with his staff thoroughly verified the Bank statement of Andhra Bank, Main Branch Nellore vide SB A/c No. 038410011027216 (now Union Bank of India), Cash Book relating to DD, SW, Nellore for the period from 09.12.2015 to 28.10.2018, note files together with vouchers and found the following:

Sl. No	Cheque No.	Date / Month	Amount	Purpose of Drawn / Remarks	Cheque issued to whom in favour of	Remarks
1	000212	29.06.2016	8300	Utilized for Visit of Hon'ble SC & ST Chairman Government of A.P.	G.V. Srihari, ASWO, Retd.	Connected file and vouchers not produced.
2	000224	23.11.2016	21460	Utilized for Visit of Hon'ble SC & ST Chairman Government of A.P.	G.V. Srihari, ASWO, Retd.	Connected file and vouchers not produced.
3	000225	Dec – 2016	9535	Utilized for Vision of Hon'ble Minister on 04.12.2016.	G.V. Srihari, ASWO, Retd.	Connected file and vouchers not produced.
4	000228	05.07.2017	9561	Utilized for Conducting of PCRPO Act Meeting on 28.03.2017 note approved by the District Collector Dated:28.06.2017.	D. Jaya Krishna, Typist.	Proceedings and connected bills produced.
5	000229	27.07.2017	7685	Utilized for Conducting of PCRPO Act Meeting on 29.06.2017 note approved by the District Collector Dated:13.07.2017.	D. Jaya Krishna, Typist.	Proceedings and connected bills produced.
6	000232	Aug – 2017	100000	Towards payment of compensation as per the orders of the national commission for SC & ST, Delhi to Smt. G.V. Seshamma, JACT of concerned Department.	G.V. Seshamma, JACT.	Connected file and vouchers not produced.
7	000236	Oct – 2017	71048	Utilized for Visit of Hon'ble SC & ST Legislature Committee to this district on June 2017, Note approved by the District Collector Dated:11.10.2017.	Sura Srinivasulu, ASWO, Retd.	Proceedings and connected bills produced.

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8	000237	Nov – 2017	12100	Utilized the amount for the purchase of Biometric attendance devices note approved by the District Collector Dated:17.10.2017.	AP Technology Services	Proceedings and connected bills produced.
9	000239	09.12.2017	9600	Utilized for the payment of Car rental charges for DD, SW, vehicle UO note approved by DD, SW.	Dara John Immanuel, Car Owner	Proceedings and connected bills not produced.
10	000240	Dec – 2017	7725	Utilized for Conducting of PCRPO Act Meeting on 29.06.2017 note approved by JC, Nellore Dated:02.12.2017	D. Jaya Krishna, Typist.	Proceedings and connected bills produced.
11	000242	Dec – 2017	20000	Utilized towards Visit of SC & ST Commission.	Sura Srinivasulu, ASWO, Retd.	Connected file and vouchers not produced.
12	000245	08.01.2018	96000	Utilized for the payment of Car rental charges for DD, SW, vehicle UO note approved by DD, SW.	Dara John Immanuel, Car Owner	Proceedings and connected bills not produced.
13	000246	29.01.2018	15300	Utilized for the payment of Janmabhoomi Maa Vuru, lifting of pamphlets from Vijayawada.	M. Venkateswar Rao, Supdt. Retd.	Connected file and vouchers not produced.
14	000247	02.02.2018	44100	Utilized for the payment of Janmabhoomi Maa Vuru, Flex printing charges.	Sura Srinivasulu, ASWO, Retd.	Connected file and vouchers not produced.
15	000248	17.02.2018	129000	Utilized for the payment of Car rental charges for DD, SW, vehicle for the months 05/2017 to 08/2017, UO note approved by DD, SW.	Dara John Immanuel, Car Owner	Proceedings and connected bills not produced.
	Total		**647814**			

An amount of Rs.100394/- was approved by the District Collector, Nellore and Rs.7725/- was approved by the Joint Collector, Nellore. The then Deputy Director (SW) was drawn amounting to Rs.539695/- without approval of the District Collector or any higher authority.

Apart from the above, it is observed that an amount of Rs. 10,69,738/- was realized as Bank Interest as well as Interest on Fixed Deposits out of it an amount of Rs. 6,47,814/- was incurred for various purposes duly diverting the Government funds without prior permission from the competent authority by the then Deputy Director (SW) Sri Dasari Madhusudhana Rao, by violating the rules as the withdrawals are contrary to the Government orders.

On further verification of the Internal Audit Report issued by the Director of Social Welfare, Andhra Pradesh, Vijayawada Dt.07.12.2016 vide Memo No. Audit/2733/2016 they are instructed / Commented that the DD, SW, Nellore is in the

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practice to meet the expenditure for various purposes on a reimbursement basis from the Deputy Director (SW), SB Account still lakhs of rupees were not reimbursed even today. This type of action of the Deputy Director (SW), Nellore gave scope for hampering of the scheme which was to be implemented the commissioner of Social Welfare has provided the budget for which the purpose has not been utilized this type of action may lead to the diversion of funds is irregular. The last audit raised an objection to the diversion of funds from Deputy Director (SW), Nellore SB accounts for various purposes however the same irregularity was continued, which is highly objectionable. Since, once cautioned by the Head of the Department through Audit Report the Deputy Director Should have followed the instructions scrupulously. But as per the above abstract, it is observed that to a tune of Rs. 6,47,814/- has been diverted for various purposes without prior permission from the competent authority. The said amount was not reimbursed so far.

ii) Statement of Sri Yeddu Lukas, S/o Kotaiah, Age 53 yrs, Office Superintendent, O/o District SC Welfare & Empowerment Office, Social Welfare Department, Nellore. N/o D.No. 51/1/16(A), Kapadipalem, Ongole town, Prakasam District. Cell.No. 9440268192.

On examination, he stated that he has been working as Office Superintendent O/o District Backward Classes Welfare and Empowerment Officer, Nellore since 04.07.2022. The ACB authorities found some variations in Interest amount which were previously explained by the then Deputy Director (SW), Smt. M.Ramadevi and other office staff O/o Deputy Director (SW), Nellore. On that, Sri Yammanoori Venkataiah, S/o Subbarayudu (Late), Age 60 Yrs, District Backward Classes Welfare and Empowerment Officer, Nellore, FAC for the post of District Scheduled Caste Welfare and Empowerment Officer, Nellore and the staff of the Office thoroughly verified the Bank statement of Andhra Bank, Main Branch Nellore vide SB A/c No. 038410011027216 (now Union Bank of India), Cash Book relating to DD, SW, Nellore for the period from 09.12.2015 to 28.10.2018.

On verification of office records, it is observed that an amount of Rs. 10,69,738/-, was realized as Bank Interest as well as Interest on Fixed Deposits out of it an amount of Rs. 6,47,814/- was incurred for various purposes duly diverting the Government funds without prior permission from the competent authority by the then DD, SW Sri Dasari Madhusudhana Rao, by violating the rules as the withdrawals are contrary to the Government orders.

On further verification of the Internal Audit Report issued by the Director, Social Welfare, A.P., Vijayawada Dt.07.12.2016 vide Memo No. Audit/2733/2016 they are instructed / Commented that the Deputy Director (SW), Nellore is in the practice to meet the expenditure for various purposes on a reimbursement basis from the Deputy Director (SW), SB Account still lakhs of rupees were not reimbursed even today. This type of action of the Deputy Director (SW), Nellore gave scope for hampering of the scheme which was to be implemented the commissioner of Social Welfare has provided the budget for which the purpose has not been utilized this type of action may lead to the diversion of funds is irregular. The last audit raised an objection to the diversion of funds from Deputy Director (SW), Nellore SB accounts for various purposes however the same irregularity was continued which is highly objectionable. Since once cautioned by the Head of the Department through Audit Report the Deputy Director should have followed the instructions scrupulously. But as per the above abstract, it is observed that to a tune of Rs. 6,47,814/- has been diverted for various purposes without prior permission from the competent authority. The said amount was not reimbursed so far.

iii) Statement of Sri Pemula Ezra, S/o Late. Yohan, Age: 55 yrs, Occ; Asst. Accounts Officer, O/o DD, SW, Nellore. R/o. Prakasam Colony, Kandukur Town & Mandal, SPSR Nellore District. Cell.No. 8074143138.

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He has been working as Asst. Accounts Officer in the O/o the Dist. SC. Welfare & Empowerment Officer, Nellore since 01.10.2021. On perusal of the Audit Report, the internal Audit was conducted from 13.09.2016 to 27.09.2016 for the period of 01.04.2014 to 31.03.2016 by the Audit team, O/o. Director of Social Welfare, Andhra Pradesh. The Director of Social Welfare, AP, Amaravati sent a letter on 07.12.2016 to the Deputy Director (SW), Nellore to furnish the rectification report for lapses and irregularities pointed out by the Auditing. But Sri D. Madhusudhana Rao, Deputy Director (SW), Nellore did not take any steps to rectify the lapses and irregularities pointed out by the Auditing. On re- examination he thoroughly verified the records along with note files together with vouchers relating to O/o Deputy Director (SW), Nellore it is noticed that the interest funds to the tune of Rs. 6,47,814/- which was incurred for the period from May-2016 to Feb-2018 on the FDRs issued for the purpose of construction of Hostel buildings in various Banks has been utilized by Sri D. Madhusudhana Rao, the then Deputy Director (SW) for various purposes by diverting the funds without prior approval of the Superiors and thereby violated the rules and the same was debited from Andhra Bank, Main Branch Nellore vide SB A/c No.038410011027216 (now Union Bank) which is highly irregular.

iv) Statement of Sri Bathina Veera Nageswara Rao, S/o B. Chandar Rao (late), Age 55 yrs, Occ: Asst. Accounts Officer, O/o Vice Chairman, Kakinada Urban Development Authority (KAUDA), R/o Siddarthanagar, Ramanujpet (M), Kakinada District, Cell No. 99891 99907.

He stated that at present he is working as Assistant Accounts Officer, O/o Vice Chairman, Kakinada Urban Development Authority (KAUDA). Previously he worked in the office of the Director of Social Welfare, Andhra Pradesh from July 2010 to July - 2018. As per the orders of the Joint Director (A&A) he along with Sri P. Jayaprakasha Rao, the Accounts officer conducted an internal Audit from 13.09.2016 to 27.09.2016 in the office of Deputy Director (SW), Nellore during the financial years 01.04.2014 to 31.03.2016. At present Sri P. Jayaprakasha Rao is retired from Service. After completion of the internal Audit, the Auditors submitted the report to the Director of Social Welfare, Andhra Pradesh. In the said Audit, they found that the SO-1 had committed some irregularities relating to the disbursement of amounts of renovation of the Hostel building and also the interest of he said amounts without prior permission from the higher authorities. Later the said audit objections report was sent to the Deputy Director (SW), Nellore for necessary action, etc facts.

V) Statement of Smt. Mantripragada Ramadevi, W/o K. Prabhakar, Age 59 yrs, Occ; Dist. SC, Welfare & Empowerment Officer, Nellore. R/o. Ruby Block, Iscon City, Nellore city. Cell.No. 7989799620.

She worked as Dist. SC, Welfare & Empowerment Officer, Nellore from 22.04.2022 to 05.03.2023. On re-examination she thoroughly verified the records along with note files together with vouchers relating to O/o DD, SW, Nellore it is noticed that the interest funds to the tune of Rs. 6,47,814/- which was incurred for the period from May-2016 to Feb-2018 on the FDRs issued for the purpose of construction of Hostel buildings in various Banks has been utilized by Sri D. Madhusudhana Rao, the then Deputy Director (SW) for various purposes by diverting the funds without prior approval of the Superiors and thereby violated the rules and the same was debited from Andhra Bank, Main Branch Nellore vide SB A/c No.038410011027216 (now Union Bank) which is highly irregular.

The then Deputy Director (SW), Nellore to furnish the rectification report for lapses and irregularities pointed out by the Auditing, but Sri D.Madhusudana Rao, the then Deputy Director(SW), Nellore did not take any steps to rectify the lapses and irregularities pointed out by the Auditing.

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VI) Statement of Sri Kuraganti Srinivasa Rao, S/o K. Prakash Rao, Age 55 yrs, Occ; the then Office Superintendent O/o Deputy Director (SW), Nellore presently working as Office Superintendent, Dr.B.R.Ambedkar Gurukulam (Boys), Karempudi (V&M), Palnadu Dist. R/o D.No. Rajiv Gandhi Nagar, Road No.6/1, Guntur City and District Cell. No 9989943408.

He worked as Office Superintendent, O/o Deputy Director (SW), Nellore earlier from June, 2015 to 03.07.2022. On re-examination, he thoroughly verified the records along with note files together with vouchers relating to O/o Deputy Director (SW), Nellore it is noticed that the interest funds to the tune of Rs. 6,47,814/- which was incurred for the period from May- 2016 to Feb-2018 on the FDRs issued for the purpose of construction of Hostel buildings in various Banks has been utilized by Sri D. Madhusudhana Rao, the then Deputy Director (SW) for various purposes by diverting the funds without prior approval of the Superiors and thereby violated the rules and the same was debited from Andhra Bank, Main Branch Nellore vide SB A/c No.038410011027216 (now Union Bank) which is highly irregular.

The then Deputy Director (SW), Nellore to furnish the rectification report for lapses and irregularities pointed out by the Auditing, but Sri D. Madhusudhana Rao, the then Deputy Director (SW), Nellore did not take any steps to rectify the lapses and irregularities pointed out by the Auditing.

Thus, the above charge against the Government Servant is substantiated.

Thus, the Government Servant, Sri Dasari Madhusudhana Rao, S/o Seshachalam, Deputy Director (SW), Nellore District by his above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of a Govt. Servant and brought down the prestige of the Government and there by violated/contravened Rule 3(1), 3(2) & 3(5) of AP Civil Services (Conduct) Rules, 1964.

Thus, the Government Servant Sri Dasari Madhusudhana Rao, S/o Seshachalam, Deputy Director (SW), Nellore District rendered himself for regular Departmental enquiry for major penalty under Rule 20 of APCS (CC&A) Rules, 1991.

K.KANNA BABU
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – III

ORAL EVIDENCE:

The following oral evidence is available on record.

LW-1: Statement of Sri Yammanoori Venkataiah, S/o Subbarayudu (Late), Age 60 Yrs, District Backward Classes Welfare and Empowerment Officer, Nellore, FAC for the post of District Scheduled Caste Welfare and Empowerment Officer, Nellore. Native of D.No.45/339-2-4, Balaji Nagar, beside Crime Police Station, Kadapa. Cell.No. 9491054116.

He speaks about the diversion of interest funds and non-compliance of audit report by the SO-1 and etc facts.

LW-2: Statement of Sri Yeddu Lukas, S/o Kotaiah, Age 53 yrs, Office Superintendent, O/o District SC Welfare & Empowerment Office, Social Welfare Department, Nellore. N/o D. No. 51/1/16(A), Kapadipalem, Ongole town , Prakasam District. (Cell.No. 9440268192).

He speaks about the diversion of interest funds and non-compliance of audit report by the SO-1 and etc facts.

LW-3: Statement of Sri Pemula Ezra, S/o Late. Yohan, Age: 55 yrs, Occ; Asst. Accounts Officer, O/o DD, SW, Nellore. R/o. Prakasam Colony, Kandukur Town & Mandal, SPSR Nellore District. (Cell.No.8074143138).

He speaks about the diversion of interest funds and non-compliance of audit report by the SO-1 and etc facts.

LW.4: Statement of Sri Bathina Veera Nageswara Rao, S/o B. Chandar Rao (late), Age 55 yrs, Occ: Asst. Accounts Officer, O/o Vice Chairman, Kakinada Urban Development Authority (KAUDA), R/o Siddarthanagar, Ramanujpet (M), Kakinada District, (Cell No. 99891 99907).

He speaks about the diversion of interest funds and his audit remarks on the office of the SO-1 and etc facts.

LW-5: Statement of Smt. Mantripragada Ramadevi, W/o K. Prabhakar, Age 59 yrs, Occ: Dist. SC. Welfare & Empowerment Officer, Nellore. R/o Ruby Block, Iscon City, Nellore city, (Cell.No.7989799620).

She speaks about the diversion of interest funds and non-compliance of audit report by the SO-1 and etc facts.

LW-6: Statement of Sri Kuraganti Srinivasa Rao, S/o K. Prakash Rao, Age 55 yrs, Occ; the then Office Superintendent O/o Deputy Director (SW), Nellore presently working as Office Superintendent, Dr. B.R.Ambedkar Gurukulam (Boys), Karempudi(V & M), Palnadu Dist, R/o D.No. Rajiv Gandhi Nagar, Road No.6/1, Guntur City and District, (Cell.No.9989943408).

He speaks about the diversion of interest funds and non-compliance of audit report by the SO-1 and etc facts.

LW-7: Sri A. Srihari Rao, Inspector, ACB, Nellore (Now at Vigilance, Guntur):

He speaks about his Regular Enquiry over the O/o Deputy Director (SW), Nellore on 31.07.2017 and etc. facts.

(P.T.O.)

LW-8: Sri T.V.Srinivasa Rao, Inspector, ACB, Nellore, Now at ACB, Ongole:

He is one of the Investigating Officer, who speaks about the facts relating to submission of Regular Enquiry Detailed Report and etc facts.

LW-9: Sri P. Kiran, Inspector, ACB, Nellore Range, Nellore:

He is one of the Investigating Officer, who speaks about the facts relating to submission of Revised Regular Enquiry Detailed Report and etc facts.

Any other witnesses to be mentioned at the time of enquiry.

K.KANNA BABU
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-IV

DOCUMENTARY EVIDENCE:

1) Statement showing the details of funds diverted for various purposes from bearing Bank A/c No. 038410011027216 of Andhra Bank, Main Branch Nellore (now Union Bank of India), relating to O/o Deputy Director (SW), Nellore for the period from 09.12.2015 to 28.10.2018, by the then Deputy Director, Social Welfare, Nellore Sri D. Madhusudhana Rao to a tune of Rs. 6,47,814/-. The attested copies such as Cash book, vouchers, note files, UO Note, sub-vouchers and Bank statements along with abstract copy of expenditure incurred furnished by Sri Y.Venkataiah, District Backward Classes Welfare and Empowerment Officer, Nellore, FAC for the post of District Scheduled Caste Welfare and Empowerment Officer, Nellore.

2) Rc. No. B1/ 203/2020, dated 27.06.2020; it contains the deposits available in the Banks related to the O/o Deputy Director (SW), Nellore. Copies of Fixed Deposit Register from May-2016 to Feb-2018 with regard to the interest on FDRs.

3) Orders of the Director, Social Welfare, AP, Vijayawada dated 07.12.2016 vide Memo No. Audit/2733/2016 (Period of internal Audit from 01.04.2014 to 31.03.2016, Internal Audit conducted from 13.09.2016 to 27.09.2016); it contents that the audit team observed a diversion of funds from the Deputy Director (SW), Nellore, Andhra Bank, Main Branch, Nellore SB Account bearing No. 0384100/1027216 which could not be reimbursed and highly objectionable. Further, a specific scheme-wise budget control register was not maintained which may lead to the diversion of funds, as the entire responsibility lies with the DDO, to avoid excess drawing. Further the Audit team commented that the Deputy Director (SW), Nellore is in the practice to meet the expenditure for various purposes on a reimbursement basis from the DD, SW, SB Account still lakhs of rupees were not reimbursed even today. This type of action of the Deputy Director (SW), Nellore gave scope for hampering of scheme which was to be implemented the commissioner of Social Welfare has provided the budget for which the purpose has not been utilized this type of action may lead to the diversion of funds is irregular. The last audit raised an objection to the diversion of funds from Deputy Director (SW), Nellore SB accounts for various purposes however the same irregularity is being continued, which is highly objectionable. Since once cautioned by the Head of the Department through Audit Report the Deputy Director should have followed the instructions scrupulously.

4) Certificate of the Deputy Director (SW), Nellore, SPSR Nellore Dist. Dated 01.06.2021: It contains that the amount released for constructions of hostel buildings in Social Welfare Department and the interest amount received on it has been remitted to the Govt., A.P through CFMS Challan No. 41237314432020, Dt.17.11.2020, to the 0250-00-102-00-01-001/00 Head of Account of Rs. 52,55,440/- at SBI, Nellore according to the audit report.

5) Original report of the Complainant:-

On perusal, it contains 8 sheets concerning the report put in the name of the complainant.

6) Original Service Particulars of the Government Servant:

On perusal, it is consisting of 03 sheets concerning service particulars and Job chart of Sri Dasari Madhusudhana Rao, the then Deputy Director (SW), Nellore vide RC.No. ACB/Spl./2022, dt. 11.06.2022 from Smt. M.Ramadevi, Dist. SC. Welfare & EO (SW), SPSR Nellore District.

Any other document to be filed at the time of enquiry.

K.KANNA BABU
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER